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CASE NAME/NO.: SP00-380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Early, et al.

Serial No: 10/021,366 /

Filing Date: 12/12/2001

Title: Treating Soot Preforms with a Reducing Agent

Art Group Unit: 1731

Examiner: Hoffman, John M.

RESPONSE

Commissioner for Patents
Alexandria, VA 22313-1450

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RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT

In the Office Action dated 6/5/03, designated as Paper No. 6 in the above-captioned application, the Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

Group I. Claims 1-13, 16-23, 26-60 and 63-68, drawn to a method of treating a soot body, classified in class 65, subclass 427;

Group II. Claims 14-15, drawn to a photomask; and

Group III. Claims 24-25 and 61-62, drawn to an optical fiber, classified in class 385, subclass 123.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another because the product can be made by a materially different process, such as a sol gel method. The Examiner also asserted that inventions II and III are unrelated: one is used for communication while one is used for semiconductor processing.

In the Office Action the Examiner further issued a Restriction Requirement directed to species within the identified groups. Specifically, the Examiner identified the following species:

Specie A1: wherein the method is for making optical fiber

A2: wherein the method is for making a photomask

Specie B1: wherein the heat treatment is less than about 1000°C

B2: wherein the heat treatment is greater than about 1000°C

Specie C1: wherein the process uses chlorine atoms/molecules

C2: wherein the process prohibits the use of chlorine atoms/molecules

Specie D1: wherein the process uses fluorine atoms/molecules

D2: wherein the process prohibits the use of fluorine atoms/molecules

Applicants hereby elect Group 1, claims 1-13, 16-23, 26-60 and 63-68, without traverse. Additionally, Applicants elect species A1, B2, C2 and D1, without traverse.

Applicants believe that no extension of time is necessary to make this Response timely. Should Applicants be in error, Applicants respectfully request the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Kevin M. Able at 607-974-2637.

Respectfully submitted,

CORNING INCORPORATED

Date: 6/26/03

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CERTIFICATE OF MAILING UNDER 37 C.F.R.

§ 1.8: I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal Service, as first class mail, postage prepaid, addressed to Commissioner of Patents, Alexandria, VA 22313-1450 on 6/26/03

Kevin M. Able, Signature